

**STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU**

**RESIDENTIAL BUILDERS AND MAINTENANCE AND ALTERATION  
CONTRACTORS**

**APPROVED MEETING MINUTES**

**AUGUST 12, 2014**

In accordance with the Open Meetings Act, Public Act No. 267 of 1976, as amended, the Residential Builders' and Maintenance and Alteration Contractors' Board met on August 12, 2014 at the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, 2501 Woodlake Circle, Second Floor, Room 1, Okemos, Michigan. The Board meeting was called to order by Chairperson Gary August at 9:17 a.m.

**ROLL CALL**

Present:	Gary August, Chair	Public Member
	*Jeff Agnew	Professional Member
	John F. Kelly	Professional Member
	Thomas Thelen	Professional Member
	Mark Wahl	Professional Member
Absent:	James G. Haeussler	Professional Member
	Gregory Powell	Professional Member
	Colleen Shannon	Public Member
	Sidney Browne Jr., Vice Chair	Public Member
Staff:	Andrew Brisbo	Licensing Director
	Belinda Wright	Licensing Manager
	Janielle Houston	Recording Secretary
	Ann Paruk	Administrative Law Specialist
	Michele Wagner-Gutkowski	Assistant Attorney General
		Representative

\*Participated via teleconference

**ADDITIONS TO OR DELETIONS FROM AGENDA**

**ADDITION**

**Petitioners**

11.	Scott Roland Gauthier	21-01-199618	Individual Residential Builder Renewal Denial
-----	-----------------------	--------------	--

**APPROVAL OF MINUTES FROM MAY 13, 2014**

MOTION: It was moved by Mr. Wahl and supported by Mr. Kelly to approve the minutes as written from the meeting held May 13, 2014. The motion carried by unanimous vote.

**PETITIONS**

**KENNETH JOSEPH WESTRICK**

MOTION: It was moved by Mr. Kelly and supported by Mr. Thelen that, after careful consideration of the written petition for review, the Board recommended granting the petitioner a sixty (60) day extension to provide documentation demonstrating compliance with the requirements regarding continuing competency and having a current copy of the Michigan Residential Code for Individual Residential Builder licensure renewal. The motion carried by unanimous vote.

**ROBERT M. HEITGER**

MOTION: It was moved by Mr. Kelly and supported by Mr. Thelen that, after careful consideration of the written petition for review, the Board recommended granting the petitioner a thirty (30) day extension to provide documentation demonstrating compliance with the requirements regarding continuing competency for Individual Residential Builder licensure renewal. The motion carried by unanimous vote.

**JOSEPH BREHM**

MOTION: It was moved by Mr. Wahl and supported by Mr. Kelly that, after careful consideration of the written petition for review, the Board recommended granting the petitioner a sixty (60) day extension to provide documentation demonstrating compliance with the requirements regarding continuing competency for Individual Residential Builder licensure renewal. The motion carried by unanimous vote.

**FREDRICK JOHN ZIEHL**

MOTION: It was moved by Mr. Wahl and supported by Mr. Thelen that, after careful consideration of the written petition for review, the Board recommended granting the petitioner a sixty (60) day extension to provide documentation demonstrating compliance with the requirements regarding continuing competency for Individual Residential Builder licensure renewal. The motion carried by unanimous vote.

JOHN F. OKOREN

MOTION: It was moved by Mr. Kelly and supported by Mr. Thelen that, after careful consideration of the written petition for review, the Board recommended granting the petitioner a sixty (60) day extension to provide documentation demonstrating compliance with the requirements regarding continuing competency for Individual Residential Builder licensure renewal. The motion carried by unanimous vote.

PAUL ANTHONY ESPOSITO

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl that, after careful consideration of the written petition for review, and the oral presentation of Paul Anthony Esposito, the Board recommended to approve the reinstatement of Mr. Esposito's Individual Residential Builders license. The motion carried by unanimous vote.

THOMAS PATRICK RENAUD

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl that, after careful consideration of the written petition for review, the Board recommended granting the petitioner a sixty (60) day extension to provide documentation demonstrating compliance with the requirements regarding continuing competency and having a current copy of the Michigan Residential Code for Individual Residential Builder licensure renewal. The motion carried by unanimous vote.

CALEB LUKE DIRKSE

MOTION: It was moved by Mr. Wahl and supported by Mr. Thelen that, after careful consideration of the written petition for review, the Board recommended granting the petitioner a sixty (60) day extension to provide documentation demonstrating compliance with the requirement to obtain a current Michigan Residential Code for Individual Residential Builder licensure renewal. The motion carried by unanimous vote.

RYAN LEVI NESTLE

MOTION: It was moved by Mr. Kelly and supported by Mr. Thelen that, after careful consideration of the written petition for review, the Board recommended granting the petitioner a sixty (60) day extension to provide documentation demonstrating compliance with the requirement regarding continuing competency and having a current copy of the Michigan Residential Code for Individual Residential Builder licensure renewal. The motion carried by unanimous vote.

**SCOTT ROLAND GAUTHIER**

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl that, after careful consideration of the written petition for review, the Board recommended the continuation of the conditions for the voluntary limitation on Mr. Scott Roland Gauthier's Individual Residential Builders license. The motion carried by unanimous vote.

MOTION: It was moved by Mr. Thelen and supported by Mr. Wahl to have public comment at this time. The motion carried by unanimous vote.

**ITEMS FOR CONSIDERATION FROM VISITORS**

One individual addressed the Board

**HEARING REPORTS**

MOTION: It was moved by Mr. Thelen and supported by Mr. Kelly that the Board receive all hearing reports on the agenda. The motion carried by unanimous vote.

**CHRISTOPHER LYNN ABBOTT, D/B/A ABBOTT BUILDERS, LICENSE NO. 21-01-167599, EXPIRED 5-31-2014, WEIDMAN, MICHIGAN: COMPLAINT NO. 320030**

MOTION: It was moved by Mr. Kelly and supported by Mr. Agnew that the following penalty be assessed due to the numerous violations and severity of offenses: A civil fine in the amount of \$1,500.00 made payable to the State of Michigan and payment of restitution in the amount of \$28,207.04 to the complainant on behalf of the homeowner. The fine and restitution shall be paid within sixty (60) days from the date of mailing of the Final Order for Complaint No. 320030. If the civil fine and restitution are not paid within sixty (60) days from the date of mailing of the Final Order, then Respondent's license shall be suspended until the civil fine and restitution are paid in full. The motion carried by unanimous vote.

**ENERGY SMART REMODELING, LLC, LICENSE NO. 21-02-202391, EXPIRES 5-31-2015, CALEDONIA, MICHIGAN: COMPLAINT NO. 320105**

MOTION: It was moved by Mr. Kelly and supported by Mr. Thelen that the following penalty be assessed: Immediate suspension of Respondent's license; satisfaction or proof of satisfaction of the judgment from May 7, 2013 entered by the 63rd District Court in Grand Rapids, Michigan, and a civil fine in the amount of \$1,000.00 made payable to the State of Michigan, for Complaint No. 320105. Respondent's license shall remain suspended until the civil fine and judgment are paid in full. The motion carried by unanimous vote.

TRACY LEE ANTCLIFF, LICENSE NO. 21-01-201752, EXPIRES 5-31-2015,  
CALEDONIA, MICHIGAN: COMPLAINT NO. 320106

MOTION: It was moved by Mr. Wahl and supported by Mr. Thelen that the following penalty be assessed: Immediate suspension of Respondent's license; satisfaction or proof of satisfaction of the judgment from May 7, 2013 entered by the 63rd District Court in Grand Rapids, Michigan, and a civil fine in the amount of \$1,500.00 made payable to the State of Michigan, for Complaint No. 320106. Respondent's license shall remain suspended until the civil fine and judgment are paid in full. The motion carried by unanimous vote.

ROBERT RENE CODDENS, II, D/B/A GROSSE POINTE HOME IMPROVEMENT,  
LICENSE NO. 21-01-132354, EXPIRES 5-31-2017, GROSSE POINTE, MICHIGAN:  
COMPLAINT NO. 319875

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl that the following penalty be assessed: Immediate suspension of Respondent's license; a civil fine in the amount of \$2,500.00 made payable to the State of Michigan within ninety (90) days from the date of mailing of the Final Order for Complaint No. 319875. Respondent's license shall remain suspended until the civil fine has been paid in full. The motion carried by unanimous vote.

MECRAFTERS HOME IMPROVEMENTS, INC., JOHANNES ANTON BOLL, JR.,  
Q.O., LICENSE NO. 21-02-200967, EXPIRED 5-31-2014, AUBURN HILLS,  
MICHIGAN: COMPLAINT NO. 321006

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl that the following penalty be assessed: A civil fine in the amount of \$1,000.00 made payable to the State of Michigan and restitution in the amount of \$2,600.00 to be paid within sixty (60) days from the date of mailing of the Final Order for Complaint No. 321006. If the civil fine and restitution are not paid within sixty (60) days from the date of mailing of the Final Order, then Respondent's license shall be suspended until the civil fine and restitution are paid in full. The motion carried by unanimous vote.

MECRAFTERS HOME IMPROVEMENTS, INC., JOHANNES ANTON BOLL, JR.,  
Q.O., LICENSE NO. 21-02-200967, EXPIRED 5-31-2014, AUBURN HILLS,  
MICHIGAN: COMPLAINT NO. 320067

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl that the following penalty be assessed: A civil fine in the amount of \$3,000.00 made payable to the State of Michigan and restitution in the amount of \$20,000.00 to be paid within sixty (60) days from the date of mailing of

the Final Order for Complaint No. 320067. If the civil fine and restitution are not paid within sixty (60) days from the date of mailing of the Final Order, then Respondent's license shall be suspended until the civil fine and restitution are paid in full. The motion carried by unanimous vote.

SCOTT RYAN MARTIN, D/B/A MARTIN AND SONS ROOFING, LICENSE NO. 21-03-181038, MENOMINEE, MICHIGAN: COMPLAINT NO. 318082

MOTION: It was moved by Mr. Thelen and supported by Mr. Wahl that the following penalty be assessed: Immediate suspension of Respondent's license; a civil fine in the amount of \$15,000.00 made payable to the State of Michigan to be paid within ninety (90) days from the date of mailing of the Final Order for Complaint No. 318082. If the civil fine is not paid within ninety (90) days from the date of mailing of the Final Order, then Respondent's license shall be revoked. The motion carried by unanimous vote.

**STIPULATIONS**

M&A ROOFING, SIDING, GUTTERS, AND WINDOWS, LLC, LICENSE NO. 21-02-201214, EXPIRES 5-31-2017, UTICA, MICHIGAN: COMPLAINT NO. 322017

MOTION: It was moved by Mr. Agnew and supported by Mr. Kelly to accept the Stipulation as prepared for Complaint No. 322017. The motion carried by unanimous vote.

DAVID SCOTT WORDEN, D/B/A DAVID S. WORDEN BUILDING & MASONRY, LICENSE NO. 21-01-168356, EXPIRES 5-31-2017, ROSCOMMON, MICHIGAN: COMPLAINT NO. 318337

MOTION: It was moved by Mr. Agnew and supported by Mr. Kelly to accept the Stipulation as prepared for Complaint No. 318337. The motion carried by unanimous vote.

CURTIS RAY EVANS, LICENSE NO. 21-01-110284, EXPIRED 5-31-2014, ROSE CITY, MICHIGAN: COMPLAINT NO. 95896

MOTION: It was moved by Mr. Agnew and supported by Mr. Kelly to accept the Stipulation as prepared for Complaint No. 95896. The motion carried by unanimous vote.

BUFFUM BUILDERS, LLC, NORMAN MARSHALL BUFFUM, Q.O., LICENSE NO. 21-02-162390, EXPIRES 5-31-2017, GRAND RAPIDS, MICHIGAN: COMPLAINT NO. 319546 AND NORMAN MARSHALL BUFFUM, LICENSE NO. 21-01-112497, EXPIRES 5-31-2017, GRAND RAPIDS, MICHIGAN: COMPLAINT NO. 319547

MOTION: It was moved by Mr. Agnew and supported by Mr. Kelly to accept the Stipulation as prepared for Complaint Nos. 319546 and 319547. The motion carried by unanimous vote.

TOTTINGHAM BUILDERS, LLC, JIMMY TOTTINGHAM, Q.O., LICENSE NO. 21-02-183863, EXPIRES 5-31-2017, BLOOMFIELD HILLS, MICHIGAN: COMPLAINT NO. 320844 AND JIMMY WILLIAM TOTTINGHAM, LICENSE NO. 21-01-141176, EXPIRES 5-31-2017, BLOOMFIELD HILLS, MICHIGAN: COMPLAINT NO. 320845

MOTION: It was moved by Mr. Agnew and supported by Mr. Kelly to accept the Stipulation as prepared for Complaint Nos. 320844 and 320845. The motion carried by unanimous vote.

ULTIMATE CONCRETE, INC., CRAIG ROBERT RYBARZ, Q.O., LICENSE NO. 21-04-169333, EXPIRES 5-31-2017, STERLING HEIGHTS, MICHIGAN: COMPLAINT NO. 320387 AND CRAIG ROBERT RYBARZ, LICENSE NO. 21-03-169764, EXPIRES 5-31-2017, STERLING HEIGHTS, MICHIGAN: COMPLAINT NO. 320388

MOTION: It was moved by Mr. Agnew and supported by Mr. Kelly to accept the Stipulation as prepared for Complaint Nos. 320387 and 320388. The motion carried by unanimous vote.

PULLUM WINDOW CORPORATION, CHARLES BRUCE PULLUM, Q.O., LICENSE NO. 21-02-071497, EXPIRES 5-31-2017, DETROIT, MICHIGAN: COMPLAINT NO. 321725 AND CHARLES BRUCE PULLUM, LICENSE NO. 21-01-069735, EXPIRES 5-31-2017, BIRMINGHAM, MICHIGAN: COMPLAINT NO. 321726

MOTION: It was moved by Mr. Agnew and supported by Mr. Wahl to accept the Stipulation as prepared for Complaint Nos. 321725 and 321726. The motion carried by majority vote. Mr. Kelly abstained from the vote.

#### **ITEMS FOR CONSIDERATION FROM BOARD MEMBERS OR DEPARTMENT**

NONE

#### **ITEMS FOR CONSIDERATION FROM VISITORS**

One individual addressed the board.

### **NEXT MEETING DATE**

The next regularly scheduled meeting of the Residential Builders' and Maintenance and Alteration Contractors' Board will be held on November 18, 2014, Room 1, at 9:00 a.m.

### **ADJOURNMENT**

There being no further business to be brought before the Board at this time, the meeting was adjourned at 12:07 p.m.

**/S/** \_\_\_\_\_  
Chairperson  
Gary August

**/S/** \_\_\_\_\_  
Recording Secretary  
Janielle Houston

**11-18-2014** \_\_\_\_\_  
Date